

## **2022 Legislative Update Board of Occupational Therapy**

The following bill was enacted by the General Assembly during the 2022 legislative session and impacts the Board of Occupational Therapy and/or the Board of Occupational therapy licensees:

### **Occupational Therapy Licensure Compact, [H.3599](#)**

H.3599 enters South Carolina (SC) into the Occupational Therapy Licensure Compact (OT Compact), which will allow an occupational therapist or occupational therapist assistant licensed in another compact state to apply for a compact privilege through the compact to provide occupational therapy services in SC, or another member state. To obtain a compact privilege, the licensee must meet the statutory requirements, pay the compact commission fee and any state fee, complete the state and national fingerprint criminal background check requirements, and meet any jurisprudence requirements established by a remote state.

The OT Compact also establishes an Occupational Therapy Compact Commission (“Compact Commission”) with powers and duties that include, but are not limited to, establishing a code of ethics, bylaws, and promulgating uniform rules to facilitate and coordinate implementation and administration of the OT Compact, which have the force and effect of law and are binding in all member states. The OT Compact rules will be available on the OT Compact website. The Compact Commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the costs of the operations and activities of the Commission. The Compact Commission shall provide a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

The option to apply for an OT/OTA Compact privilege is not currently available at this time. While as of May 24, 2022 compact legislation has been enacted in 21 states, membership and development of the OT Compact is not complete. A projected start date for all member states is 2024. Additionally; before the OT Compact can be implemented in SC, the Board must receive state and federal approvals related to the fingerprint criminal background check requirements.

For more information concerning the OT Compact see the American Occupational Therapy Association (AOTA) and the National Board for Certification of Occupational Therapy (NBCOT) resources below and visit the OT Compact website <https://otcompact.org/about/>

### **AOTA and NBCOT Resources:**

- What is the OT Compact (Infographic)?  
[https://otcompact.org/wp-content/uploads/2021/02/OT\\_Compact\\_Infographic\\_Revised.pdf](https://otcompact.org/wp-content/uploads/2021/02/OT_Compact_Infographic_Revised.pdf)
- Fact Sheet for Practitioners  
[https://otcompact.org/wp-content/uploads/2021/03/Final\\_OT\\_Compact-Practitioner-Fact-Sheet.pdf](https://otcompact.org/wp-content/uploads/2021/03/Final_OT_Compact-Practitioner-Fact-Sheet.pdf)

Effective date: May 13, 2022

**Disclaimer:** This legislative update is not intended as legal advice. LLR is providing this legislative update to notify licensees of recently enacted legislation that may impact his or her practice area or license. This legislative update provides only a high level overview of enacted legislation and licensees are urged to review the entire enacted legislation, which is available in the hyperlinks above.